

be consistent, however, with the shoreline appearance in other locations and therefore would not be significant. Alternative B would, however, provide some environmental benefits. These benefits include reducing shoreline erosion at locations where the riprap stabilization measures are placed and completion of Brightwater Park providing accessible public land and recreation resources as was originally intended with the 2003 decision.

#### Amended Decision

TVA has decided to amend the September 2003 ROD to incorporate the approval of Alternative B—Section 26a Permit Approval. The rationale for approving Alternative B is consistent with the rationale provided in the September 2003 ROD. The changes to the original proposal described in Alternative B achieves both WindRiver's objectives for development of the residential and recreational community and TVA's overall goals for providing recreational opportunities in the Tennessee Valley. Environmental impacts associated with Alternative B would be minor and slightly greater than impacts associated with Alternative A.

#### Mitigation Measures

The September 2003 ROD lists mitigation measures associated with the 2003 Rarity Pointe FEIS. These mitigation measures remain in effect across the development. TVA has identified the following 2003 mitigation measures to be specifically applicable to the current proposed actions related to the stabilization measures and Brightwater Park:

- Fully shielded light fixtures or those with internal low-glare optics (so no light is emitted from the fixture at angles above the horizon) will be used in the development. This commitment would also apply to the actions at Brightwater Park.
- Any future facilities or equipment subject to flood damage will be located at or above elevation of 820 feet.
- Any future development proposed within the limits of the 100-year floodplain, elevation 816.7 feet MSL, will be consistent with the requirements of EO 11988.
- All future development will be consistent with the requirements of TVA's Flood Control Storage Loss Guideline.
- WindRiver will continue to mitigate impacts to wetlands (W4 and W5) in the vicinity of Brightwater Park by implementing the wetland mitigation plan in Appendix C of the 2003 Rarity Pointe FEIS.

TVA has identified the following new mitigation measures associated with the implementation of the Brightwater Park SEA Alternative B—Section 26a Permit Approval.

- No flood-damageable facilities or equipment would be located within the Brightwater Park grand lawn. The lawn would be kept as a grassy area which would not be expected to incur damage during a flood.
- The switch on the irrigation pump would be located at or above an elevation of 820 feet.
- The minimum amount of rip-rap would be used while still meeting project objectives.
- The Brightwater Park sun shelter will remain open to the elements and may never be enclosed in the future. Any flood-damageable equipment stored in the sun shelter will be elevated to or above elevation 820 feet.
- For purposes of shoreline bank stabilization, all portions will be constructed or placed, on average, no more than two feet from the existing shoreline at normal summer pool elevation.
- For all electrical services permitted, including the electrical plug, a disconnect must be located at or above elevation 818.1 that is accessible during flooding.
- The floor elevation of the fixed courtesy pier will be a minimum of 2.0 feet above the normal summer pool elevation 813.0.
- The applicant should contact the local government official(s) to ensure that this facility complies with all applicable local floodplain regulations.
- Any excess excavated material not needed to grade Edgewater Road and the parking lot will be disposed of and contained on land lying and being above the 816.7-foot contour. Every precaution will be taken to prevent the reentry of the spoil material into the reservoir.
- In the stabilization areas, the only trees that would be removed are those already undermined and actively falling into the adjacent water. No trees greater than 3 inches in diameter at breast height would be removed.
- A vegetated buffer zone of at least 50 feet will be retained by TVA and maintained along the shoreline from the summer pool level in order to maintain continuity on the site, and reduce possible impacts to water quality and wetlands.
- If the reservoir falls below the elevation of the intake, the applicant will be responsible for finding another source of raw water.
- Cultural resource site 40LD29 would be avoided for all construction activities. TVA would place a

commitment within the permit that states that in the vicinity of cultural resource site 40LD346, rip-rap would be placed from the beach with no equipment allowed on top of the site and no bank shaping would be done. In addition, TVA would require that an archaeological monitor be present while work is being conducted in that area.

**David Bowling,**

*Vice President, Land and Resource Management.*

[FR Doc. 2017-19657 Filed 9-14-17; 8:45 am]

**BILLING CODE 8120-01-P**

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## DEPARTMENT OF TRANSPORTATION

### Federal Railroad Administration

[Docket Number FRA-2010-0073]

#### Portland & Western Railroad's Request for Positive Train Control Safety Plan Approval and System Certification

**AGENCY:** Federal Railroad Administration (FRA), U.S. Department of Transportation (DOT).

**ACTION:** Notice of availability and request for comments.

**SUMMARY:** This document notifies the public that Portland & Western Railroad (PNWR) submitted to FRA its Positive Train Control Safety Plan (PTCSP) (Version 1.5, dated July 21, 2017) for its Westside Express Service and a copy of that PTCSP is available for public review and comment. PNWR asks FRA to approve its PTCSP and issue a Positive Train Control System Certification for PNWR's Enhanced Automatic Train Control (E-ATC), under the appropriate regulations.

**DATES:** FRA will consider comments received by October 16, 2017, before taking final action on the PTCSP. FRA may consider comments received after that date if practicable.

**ADDRESSES:** All communications concerning this proceeding should identify Docket Number FRA-2010-0073 and may be submitted by any of the following methods:

- *Web site:* <http://www.regulations.gov>. Follow the online instructions for submitting comments.
- *Fax:* 202-493-2251.
- *Mail:* Docket Operations Facility, U.S. Department of Transportation, 1200 New Jersey Avenue SE., W12-140, Washington, DC 20590.
- *Hand Delivery:* 1200 New Jersey Avenue SE., Room W12-140, Washington, DC 20590, between 9 a.m. and 5 p.m., Monday through Friday, except Federal Holidays.

**FOR FURTHER INFORMATION CONTACT:** Dr. Mark Hartong, Senior Scientific Technical Advisor, at (202) 493-1332 or [Mark.Hartong@dot.gov](mailto:Mark.Hartong@dot.gov); or Mr. David Blackmore, Staff Director, Positive Train Control Division, at (312) 835-3903 or [David.Blackmore@dot.gov](mailto:David.Blackmore@dot.gov).

**SUPPLEMENTARY INFORMATION:** In its PTCSP, PNWR asserts that its E-ATC system is designed as a vital overlay positive train control (PTC) system as defined in 49 CFR 236.1015(e)(2). The PTCSP describes PNWR's E-ATC implementation and the associated E-ATC safety processes, safety analyses, and test, validation, and verification processes used during the development of E-ATC. The PTCSP also contains PNWR's operational and support requirements and procedures.

PNWR's PTCSP and the accompanying request for approval and system certification are available for review online at <http://www.regulations.gov> (Docket Number FRA-2010-0073) and in person at DOT's Docket Operations Facility, 1200 New Jersey Avenue SE., W12-140, Washington, DC 20590. The Docket Operations Facility is open from 9 a.m. to 5 p.m., Monday through Friday, except Federal Holidays.

Interested parties are invited to comment on the PTCSP by submitting written comments or data. During its review of the PTCSP, FRA will consider any comments or data submitted. However, FRA may elect not to respond to any particular comment and, under 49 CFR 236.1009(d)(3), FRA maintains the authority to approve or disapprove the PTCSP at its sole discretion. FRA does not anticipate scheduling a public hearing regarding PNWR's PTCSP because the circumstances do not appear to warrant a hearing. If any interested party desires an opportunity for oral comment, the party should notify FRA in writing before the end of the comment period and specify the basis for his or her request.

#### Privacy Act Notice

Anyone can search the electronic form of any written communications and comments received into any of our dockets by the name of the individual submitting the comment (or signing the document, if submitted on behalf of an association, business, labor union, etc.). Under 49 CFR 211.3, FRA solicits comments from the public to better inform its decisions. DOT posts these comments, without edit, including any personal information the commenter provides, to [www.regulations.gov](http://www.regulations.gov), as described in the system of records notice (DOT/ALL-14 FDMS), which can be reviewed at <http://www.regulations.gov>.

[www.transportation.gov/privacy](http://www.transportation.gov/privacy). See <https://www.regulations.gov/privacyNotice> for the privacy notice of [www.regulations.gov](http://www.regulations.gov).

Issued in Washington, DC, on September 8, 2017.

**Robert C. Lauby,**

*Associate Administrator for Railroad Safety, Chief Safety Officer.*

[FR Doc. 2017-19598 Filed 9-14-17; 8:45 am]

**BILLING CODE 4910-06-P**

## DEPARTMENT OF TRANSPORTATION

### National Highway Traffic Safety Administration

[Docket No. NHTSA-2017-0083]

#### Reports, Forms, and Recordkeeping Requirements

**AGENCY:** National Highway Traffic Safety Administration (NHTSA), Department of Transportation (DOT).

**ACTION:** Request for public comment on the modification of an existing collection of information.

**SUMMARY:** Before a Federal agency may collect certain information from the public, it must receive approval from the Office of Management and Budget (OMB). Under procedures established by the Paperwork Reduction Act of 1995, before seeking OMB approval, Federal agencies must solicit public comment on proposed collections of information, including extensions and reinstatements of previously approved collections. This document describes a modification of an existing collection of information for which NHTSA intends to seek OMB approval.

**DATES:** Comments must be received on or before November 14, 2017.

**ADDRESSES:** You may submit comments using any of the following methods:

*Electronic submissions:* Go to <http://www.regulations.gov>. Follow the online instructions for submitting comments.

*Mail:* Docket Management Facility, M-30, U.S. Department of Transportation, West Building, Ground Floor, 1200 New Jersey Ave. SE., Room W12-140, Washington, DC 20590.

*Hand Delivery:* West Building Ground Floor, Room W12-140, 1200 New Jersey Avenue SE., Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. Telephone (202) 366-9826; Fax: (202) 493-2251.

*Instructions:* Each submission must include the Agency name and the Docket number for this proposed collection of information. Note that all comments received will be posted

without change to <http://www.regulations.gov>, including any personal information provided.

*Privacy Act:* Anyone is able to search the electronic form of all comments received into any of our dockets by the name of the individual submitting the comment (or signing the comment, if submitted on behalf of an association, business, labor union, etc.). You may review DOT's complete Privacy Act Statement in the **Federal Register** published on April 11, 2000 (65 FR 19477-78) or you may visit <http://www.dot.gov/privacy.html>.

**FOR FURTHER INFORMATION CONTACT:** Ms. Debbie Sweet, NHTSA, 1200 New Jersey Avenue SE., Washington, DC 20590; Telephone (202) 366-7179; Fax: (202) 366-2106; email address: [Debbie.Sweet@dot.gov](mailto:Debbie.Sweet@dot.gov).

**SUPPLEMENTARY INFORMATION:** Under the Paperwork Reduction Act of 1995, before an agency submits a proposed collection of information to OMB for approval, it must first publish a document in the **Federal Register** providing a 60-day comment period and otherwise consult with members of the public and affected agencies concerning each proposed collection of information. OMB has promulgated regulations describing what must be included in such a document. Under OMB's regulation (at 5 CFR 1320.8(d)), an agency must request public comment on the following:

(i) Whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;

(ii) the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;

(iii) how to enhance the quality, utility, and clarity of the information to be collected;

(iv) how to minimize the burden of the collection of information on those who are to respond, including the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g. permitting electronic submission of responses.

In compliance with these requirements, NHTSA asks for public comments on the following proposed collection of information:

*Title:* Automated Driving Systems 2.0: A Vision for Safety.

*Type of Request:* Modification of a currently approved information collection.

*OMB Clearance Number:* 2127-0723.